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Part I

Open Space Element

San Diego County General Plan-1990

ADOPTED BY
BOARD OF SUPERVISORS
DECEMBER 20, 1973
REVISED
AUGUST 25, 1977
GPA 77-01

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CERTIFICATE OF ADOPTION

I hereby certify that this is the text of the Open Space Element, Section I, Part I, of the San Diego County General Plan - 1990, as revised by General Plan Amendment 77-01, Subitem (3), the Sweetwater Community Plan, and that it was approved by the San Diego County Planning Commission on the 27th day of May, 1977.

Ross W. Daily
Ross W. Daily, Chairman

James J. Gilshian
Attest: James J. Gilshian, Secretary

I hereby certify that this is the text of the Open Space Element, Section I, Part I, of the San Diego County General Plan - 1990, as revised by General Plan Amendment 77-01, Subitem (3), the Sweetwater Community Plan, and that it was adopted by the San Diego County Board of Supervisors on the 25th day of August, 1977.

Jim Bates
Jim Bates, Chairman

Porter D. Cremans
Attest: Porter D. Cremans
Clerk of the Board

Adopted December 20, 1973 (4)
First Amendment December 10, 1975, GPA75-02
Second Amendment August 25, 1977, GPA77-01

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Introduction

This Open Space Element is the Open Space Plan for the unincorporated area of San Diego County. The Open Space Plan is not a land use plan. The San Diego County General Plan Land Use Element sets forth the intensity and density of various land uses. It is not the intent of this Open Space Element in any way to preclude the filing or approval of a private development plan as set forth in County Ordinances and Policies.

It is not the intent of this plan to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

The Open Space Element is not intended, and shall not be construed, as authorizing the County to exercise its power to adopt, amend or repeal an open space zoning ordinance in a manner which will take or damage private property for public use without payment for just compensation therefor. This Plan is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or of the United States.

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Chapter 1

Intent of the Open Space Plan

Introduction

This chapter provides some definitions, sets forth in general terms the intent of the Open Space Plan, and explains how to use the charts for each category of the Open Space Element.

This Open Space Element is adopted pursuant to Section 65560 through 65570 of the Government Code which requires that "every city and county shall prepare, adopt and submit to the Secretary of the Resources Agency a local open space plan for the comprehensive and long-range preservation and conservation of open space land within its jurisdiction."

Definitions

Open Space — The term Open Space, as used in this element, shall be defined exactly as the term is defined in the State law which reads as follows:

"(b) 'Open-space land' is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

"(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

"(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management

of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

"(3) Open space for outdoor recreation, including but not limited to areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

"(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality."

Standards for Open Space

The standards for open space are related to goals and objectives rather than to any mathematical equation. This Plan for open space concerns itself with identifying open space in order to encourage the achievement of the goals and objectives as set forth in this Element.

General County Policy for Future Open Space Needs

1. It is the policy of the County of San Diego to encourage all public agencies to consolidate their ownerships into manageable units. In order to do so, it will be necessary for these agencies to trade lands with private owners. It is the intent of the Open Space Plan that whenever land presently in public ownership is traded and thus becomes privately owned that the land shall contain only those

restrictions that apply to similar private land in the general vicinity.

2. It is the policy of the County of San Diego to encourage open space by assuring equitable taxes. It is the intent of this plan that the County Assessor and the Board of Equalization recognize that the open space restrictions as set forth in this plan will have an effect on the value of land and therefore this Open Space Plan should be an important consideration in assessment proceedings.
3. It is not the intent of this plan for it to be interpreted as a zoning ordinance. An open space zoning ordinance will be prepared and submitted for public hearing as a separate process.
4. It is the intent of the Plan to recognize that the California Environmental Quality Act has a major impact on the development process. Specifically:

The California Environmental Quality Act (CEQA) requires an Environmental Impact Report (EIR) for all projects which may have a significant effect on the environment. All phases of a project must be considered when evaluating its impact on the environment including planning, acquisition, development and operation. The following must be analyzed and presented in an EIR:

- a. A description of the potential impact of the project including physical, land use and ecological changes, inducement of population into an area, and other aspects of the area's resource base such as water, scenic quality and public services.
- b. Any adverse effect which cannot be avoided if the project is implemented.
- c. Measures proposed to minimize the environmentally adverse impacts.
- d. Alternatives to the proposed project including the evaluation of "no project."
- e. The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

- f. Changes to the environment which may be irreversible and make removal or nonuse thereafter unlikely.
- g. The growth-inducing impact of the proposed project which could foster economic or population growth.
- h. Organizations and persons consulted in the preparation of the EIR.
- i. Water quality aspects of the proposed project.

5. It is specifically the intent of this plan that the terms regulate or regulation are not to be interpreted to mean prohibit or prohibition. All regulations are intended to be reasonable.
6. It is the intent of the plan to recognize that there are many minor open space areas in San Diego County which collectively serve to provide additional significant open space to the County, even though they are not individually large enough to be mapped or described, specifically Aircraft Approach Clear Zones, local parks and private golf provide acreage that is basically open and adds to the open character of San Diego County.
7. It is the intent of this plan that it be reviewed at five year intervals with revisions expected in the future based on additional studies.

The plan and program outlined in this document after adoption by the Board of Supervisors will be a general guide to be used during the next five years.

In the coming years, the following activities should provide the data, the insight, and the experience necessary for the preparation of a more detailed Open Space Plan for San Diego County.

- a. **The Community and Subregional Plans.** Within five years, each of the major unincorporated communities should have completed a plan which will provide data, goals, and implementation programs for the attainment of those goals. A major recommendation of this Open Space Plan is that there should be an open space element in each of these plans that will reflect the

countywide open space goals as well as any local goals.

- b. **Additional Elements of the County General Plan.** It is expected that the Planning Department will undertake the preparation of additional elements of the General Plan in the near future. These elements will provide additional data for the preparation of revisions to this Open Space Plan. The elements that should be prepared are described as follows:

- The Conservation Element will provide more detailed knowledge of the natural environment, particularly in the mountains and desert where present knowledge is extremely limited.
- The Agriculture Element should provide a detailed study of the soils, climate, topography, water supply, and the economic factors related to agriculture. It will more precisely determine the areas that are highly suitable for agriculture and should recommend policies, laws, and ordinances to assure that agriculture will remain an economically viable activity in the County.
- The Housing Element should provide a better measure of the needs for various kinds of housing for County residents of all income groups and recommend policies to achieve the goal of a decent home and environment for all.
- The Trails Element should provide for a comprehensive system of trails for riding, biking and hiking. To the greatest extent possible in the limited amount of time available to meet the State's deadline, this Open Space Plan has been coordinated with the planning for trails. After completion of the necessary research and analysis and the designing of a trails system, there will be public hearings on the adoption of the trails element.
- The Beach and Shoreline Element. The State of California has embarked upon a comprehensive planning effort of the entire coastline. This Open Space

Plan recognizes the values of the beach and bluffs for recreational and open space purposes but does not provide a detailed analysis of this unique and rare resource. Upon completion of the State Study, the Open Space Plan should be amended to incorporate the findings of the State Coastline Plan.

- c. **Lagoon Specific Plans.** The research and analysis included in this study indicates that the coastal lagoons are the most unique resource in San Diego County. The lagoons are significant from the standpoint of conservation, fish and wildlife, recreational potential, health and safety, and as open space for urban form. Comprehensive specific plans for the San Elijo and Batiquitos lagoons should be prepared. The Open Space Plan has as one of its basic recommendations that a high priority be given to the preparation of a specific plan for these lagoons that will recognize the open space values of this unique resource.
- d. **Private Plans for Open Space.** This Open Space Plan recognizes and incorporates into the plan all of the open space that has been identified as a part of the private development plans that have been submitted to the County.

Other private property owners can be expected to submit private development plans based on more detailed studies of the characteristics of their land holdings. The Open Space Plan encourages such planning efforts by private consultants and establishes only those minimum guidelines and standards for such developments as are necessary to assure the attainment of countywide goals. The data provided in these future private plans will provide significant new information for future revisions of this Plan.

Each study, element, or plan mentioned above will provide more reliable data for the preparation of amendments and revisions to this Open Space Plan. This Plan provides sufficient flexibility to permit revision based on new information without endangering the validity of the Open Space Plan.

Chapter 2

Open Space Plan and Program

General Open Space Goals

The general open space goals are as follows:

1. Promote the health and safety of San Diego County residents and visitors by regulating development of lands.
2. Conserve scarce natural resources and lands needed for vital natural processes and the managed production of resources.
3. Conserve open spaces needed for recreation, educational and scientific activities.
4. Encourage and preserve those open space uses that distinguish and separate communities.

These goals can be achieved by promoting participation by the public in planning, programming and financing open space preservation; promoting multiple use of open space to the maximum degree consistent with the characteristics of each area; and by preserving private property rights by regulating private activities to the minimum extent necessary to carry out the public interest in achieving these goals.

Open Space Categories

On the pages that follow there is a detailed description of each category of the Open Space Plan.

It is essential that Chapter I — Intent of the Plan be read carefully prior to the use of the following pages. In case of an apparent conflict between the words used in the various categories and those used in the chapter on Intent of the Plan it is fully intended that the wording in the Intent Chapter shall prevail.

The Plan consists of a map which indicates the land in the various categories and this text. The following pages set forth the description, purposes, objectives, existing and proposed policies, and the program for implementing each category.

Countywide Recreation Areas

DESCRIPTION OF CATEGORY

Countywide recreation areas are considered as one open space category. They provide a variety of functions, but present similar policy considerations.

The Open Space Element map delineates only those recreation areas included in the adopted Recreation Element which are in public or semi-public ownership.* The general location for future regional recreation areas presently in private ownership are described in the Recreation Element. It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as set forth in the Recreation Element.

It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

PURPOSES AND/OR FUNCTIONS OF CATEGORY

Countywide recreational areas provide areas of natural beauty for recreation, visual enjoyment, education, scientific and group activities.

* There are private in-holdings in the Anza Borrego Desert State Park.

They also preserve plant and animal habitat areas, as well as enhancing the physical, mental and spiritual well being of county residents and visitors.

OBJECTIVES TO BE ACHIEVED BY USE OF THIS CATEGORY

Goal II. Conservation of Resources and Natural Processes

1. Encourage the conservation of the habitats of rare or unique plants and wildlife.
2. Encourage the conservation of areas with sensitive plant life or irreplaceable, high quality plant and animal communities.
3. Encourage the preservation of significant natural features of the County, including the beaches, lagoons, shoreline, canyons, bluffs, mountain peaks, and major rock outcroppings.
4. Encourage only those uses and activities that are compatible with the marine ecosystem along the shoreline. Designate appropriate areas as underwater or water related wildlife preserves.

Goal III. Recreation

5. Encourage acquisition by 1978, of the "near-term" regional parks according to the approved Regional Parks Implementation Study.
6. Encourage the acquisition of significant historic sites (including significant archaeological sites) and their immediate environs by public agencies or private organizations interested in our historical and cultural heritage.
7. Preserve or obtain access to public lakes, reservoirs, and beaches and promote their use for recreation when appropriate.

POLICIES AND REGULATIONS TO ACHIEVE THE OBJECTIVES

Existing

The County has a policy of acquiring and developing regional park land.

The standards and general location for parks are established by the adopted Recreation Element of the San Diego County General Plan and the Regional Parks Implementation Study.

The Park Dedication Ordinance provides monies for local parks within community areas.

The County uses Federal and State matching funds to purchase regional parks.

Proposed

Continue existing policies for the implementation of the Recreation Element as set forth in the Regional Parks Implementation Study.

FUTURE IMPLEMENTATION PROGRAMS

Continue the existing program of acquiring park lands.

Support State and Federal legislation which would provide State and Federal funds to local government for park acquisition.

Other Publicly Owned and Public Utility Lands

DESCRIPTION OF CATEGORY

This category consists of land held in fee title or possessory interest by the federal, state, county or other local governments or public utilities that are not included in other categories but which have significant open space characteristics. Jurisdictions included are the Cleveland National Forest, lands administered by the Bureau of Land Management, Camp Pendleton, public utility easements of 100 feet or more in width, and some local government properties.

It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

PURPOSES AND/OR FUNCTIONS OF CATEGORY

Cleveland National Forest and Bureau of Land Management

These areas provide the major source of open space for San Diego County. These public lands are controlled by the federal government which provides for the management, conservation and development of water, wildlife, forest, range and recreational resources.

Camp Pendleton Area

Camp Pendleton and the adjacent portion of the Cleveland National Forest is the only major undeveloped land mass along the Southern California coast between Los Angeles and the Mexican border. This area provides for the movement of clean ocean air from the coast inland. It is an area providing sanctuary and habitat for plant and animal life. Camp Pendleton's primary function is as a military base, however, it does provide open space. Camp Pendleton includes three small well preserved lagoons, recreation for military personnel and agriculture.

Public Utilities

Large public utility easements provide open space for agriculture, recreation, links between major recreation areas, and they sometimes serve as fire breaks.

Local Government

Water and irrigation agencies provide major open areas as a by-product of their water storage functions in the form of reservoirs and watershed areas. Local government properties include lands used for a variety of primary purposes but which also provide an open atmosphere.

OBJECTIVES TO BE ACHIEVED BY USE OF THIS CATEGORY

Goal I. Health and Safety

1. Control development to assure a minimal adverse polluting effect on reservoirs, lakes, rivers, streams, and ground water supplies.

Goal II. Conservation of Resources and Natural Processes

2. Encourage the conservation of vegetation and trees needed to prevent erosion, siltation, flood and drought, and to protect air and water quality.
3. Encourage the conservation of rare or unique plant and wildlife habitat.
4. Encourage agricultural use of lands with soils, terrain, and climate which are highly suitable for production of food and fiber.
5. Encourage the preservation of significant natural features of the County, including the beaches, lagoons, shoreline, canyons, bluffs, mountain peaks, and major rock outcroppings.

Goal III. Recreation

6. Promote recreational, scenic, scientific, educational, and environmental use of public lands where appropriate.
7. Encourage the acquisition of significant historic sites (including the significant archaeological sites) and their immediate environs by public agencies or private organizations interested in our historical and cultural heritage.
8. Preserve or obtain public access to public lakes, reservoirs, and beaches and promote their use for recreation when appropriate.

Goal IV. Distinguish and Separate Communities

9. Encourage the retention of major open spaces to separate the San Diego Region from other urbanized areas.
10. Encourage open space uses to direct urban growth to conform with other goals of the San Diego County General Plan 1990.

POLICIES AND REGULATIONS TO ACHIEVE THE OBJECTIVES

Existing

Cleveland National Forest and Bureau of Land Management

Both the National Forest Service and the Bureau of Land Management use multiple resource management policies to achieve the goals and objectives established by Congress. They attempt to acquire, on a priority basis either through purchase or land exchange, those private parcels which will contribute materially to consolidation of land holdings. They dispose of property which does not serve a federal purpose. The Cleveland National Forest has adopted plans to acquire an additional 11,000 acres and to dispose of 4,000 acres they now own. Prior to the sale of any federally or state owned land, other public agencies are given an opportunity to comment upon the advisability of the sale and/or to acquire the property for a public use.

Camp Pendleton Area

Camp Pendleton is zoned for 8-acre minimum parcel size.

The County participates in a ground water resources study with the State, Marine Corps, Riverside County, and the Forest Service, for the Santa Margarita watershed.

The County monitors transportation corridor, airport, and utility route studies which may propose development of transportation or utility facilities or networks in or through the area.

The Marine Corps has a policy of fully utilizing the base to provide recreation for its personnel.

The Marine Corps leases appropriate land for agricultural production.

Local Government

The County has a policy of reviewing parcels of land which have become surplus lands or are tax-deeded, to determine if there is any public use for such land before it is offered for sale to private parties.

Various special districts have programs for the development and use of their lands for recreational and other open space uses.

Proposed

Continue those existing policies and regulations which promote the attainment of the goals of this Plan.

Oppose efforts to develop Camp Pendleton for other than recreational, scenic, scientific, educational and environmental use.

Use County technical support services to assist in Camp Pendleton's environmental management program. Continue and improve existing policies which seek comprehensive management of Camp Pendleton's environmental resources, including wildlife, agricultural lands, and lagoons.

Support the continued use of Camp Pendleton facilities for recreational programs for military personnel and dependents.

Participate with Camp Pendleton in joint programs for the most effective utilization of open space and natural resources consistent with military requirements.

Continue to catalog and map all land in public ownership.

Adopt a policy regarding disposition of County lands and public lakes and reservoirs. The policy should require that prior to disposition, the lands should be evaluated to determine their open space value or the possibility of trading them for other lands needed for open space or recreation.

FUTURE IMPLEMENTATION PROGRAMS

Actively participate with Federal and State agencies in developing policies for land use and management in the mountains and deserts.

Actively participate in studies of transportation corridors, airport locations, and utility routes which may propose development of such facilities in Camp Pendleton in order to oppose such facilities which urbanize Camp Pendleton.

Review the presently available access to public lakes, reservoirs and beaches and adopt a program for acquiring or improving access.

Acquire the maximum amount of land available each year (currently 640 acres) of BLM lands pursuant to the Recreation and Public Purposes Act which makes such land available at \$2.50 an acre.

Water Bodies

DESCRIPTION OF CATEGORY

This category consists of the three subcategories described below.

Ocean and Beaches

The ocean and beaches consist of the immediately off-shore water area from the three mile limit to the adjacent land ten feet above mean sea level.

Lagoons and Marshes

The lagoons and marshes are the seaward end or estuary of a floodplain. These environmentally sensitive, shallow bodies of water with their adjacent marsh lands are subject to regular tidal action in their natural state.

Freshwater Bodies

Freshwater bodies consist of publicly owned natural lakes and man-made reservoirs. They serve as a connection between inland and aquatic communities. The freshwater bodies under public ownership include land owned by cities and special districts.

It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

PURPOSES AND/OR FUNCTIONS OF CATEGORY

The ocean and beaches are normally attractive for recreational use, provide habitat for wildlife, are a source of clean air, and are a moderating influence upon the weather.

The lagoons and marshes are the critical areas for the interaction of land and ocean in three processes: a mixing area for fresh and salt water during the rainy season; the transportation of sediments to replenish beach sand; and they provide an irreplaceable productive food chain and habitats for plants and wildlife.

They are a major feature of the California coastline. San Elijo and Batiquitos are two of the very few lagoons in the southern part of the state which have not been significantly altered by man.

Freshwater bodies provide a water supply for agricultural and urban water needs, recreation, and are a scenic amenity.

OBJECTIVES TO BE ACHIEVED BY USE OF THIS CATEGORY

Goal I. Health and Safety

1. Control development to assure a minimal adverse polluting effect on reservoirs, lakes, rivers, streams, and ground water supplies.
2. Protect life and property by regulating use in areas subject to flooding.

Goal II. Conservation of Resources and Natural Processes

3. Encourage the preservation of the significant natural features of the county, including the beaches, lagoons and shoreline.
4. Encourage only those uses and activities that are compatible with the marine ecosystem along the shoreline. Designate appropriate areas as underwater or water-related wildlife preserves.
5. Discourage any use of the lagoons that would be incompatible with their natural ecosystems.
6. Encourage the conservation of vegetation and trees needed to prevent erosion, siltation, flood, and drought, and to protect air and water quality.

Goal III. Recreation

7. Encourage acquisition by 1978 of the "near term" regional parks according to the

adopted Regional Park Implementation Study.

8. Preserve or obtain public access to beaches and promote their use for recreation when appropriate.

POLICIES AND REGULATIONS TO ACHIEVE THE OBJECTIVES

Existing

Oceans, Beaches, Lagoons and Marshes

The California Coastal Zone Conservation Commission is preparing a Statewide plan for the conservation and management of the natural resources in the coastal zone, which is defined as extending from the outer limits of state jurisdiction to the highest elevation of the nearest coastal mountain range or five miles from the mean high tide line, whichever is the shortest distance. As part of the State Commission, the San Diego Coast Regional Commission has review authority of proposed development within 1,000 yards of the mean high tide line until 3 months after the adjournment of the 1976 regular session of the Legislature.

In 1972 the State Resources Agency completed the Comprehensive Ocean Area Plan, which includes San Diego County.

The State Lands Commission administers the state-owned tidal and submerged lands along the coast. It is also responsible for determining the exact boundaries of such land in public ownership, as well as lands once publicly owned or subject to a public trust easement.

The State Water Quality Control Board, the San Diego Coast Regional Commission, and the County regulate water quality and development in these areas.

The County is aiding area residents in the formulation of a community plan for San Dieguito. The County's coastal overlay zone provides a means for the review of developments which may impede public access to beaches. San Diego County officially recognizes the beaches as unique environmental resources in the Coastal Area Development Policy study (1971) and the Coastal Plain of San Diego County Study (1972).

San Elijo Lagoon, the estuary of the Escondido Creek, is an important bird habitat but it is closed

to the ocean most of the time. The County periodically reopens the lagoon to the sea, allowing tidal flushing to minimize pollution, odor, and mosquito problems. The lagoon is designated as a regional park in the General Plan.

Batiquitos Lagoon, the estuary of the San Marcos system of creeks, is a poor natural habitat in its present closed state. The County does not attempt to periodically reopen the lagoon to the sea to reestablish tidal flushing.

Santa Margarita Lagoon, the estuary of the Santa Margarita River, supports a typical marsh ecology. Located in Camp Pendleton, it is open to the sea much of the time.

The County's Regional Park Implementation Study recommends that Batiquitos and San Elijo Lagoons be acquired as "near term" regional parks.

Freshwater Bodies

The Santee Sanitation District's water resource management program provides for the multiple use of the Santee Lakes.

The Recreation Element of the County General Plan recommends the purchase of land for the development of regional parks adjacent to certain water bodies.

The San Diego County Regional Parks Implementation Study recommends the purchase of freshwater park sites.

Some public agencies allow the limited recreational use of their reservoirs and lakes.

Proposed

Continue those existing policies and regulations which promote the attainment of the Goals of this Plan.

Evaluate the County General Plan and the San Dieguito Community Plan in relation to the Plans of the San Diego Coast Regional Commission and the Resource Agency's Comprehensive Ocean Area Plan.

Evaluate the sand resource study to determine appropriate areas for additional lakes to be created by sand extraction.

Review the presently available public access to lakes, reservoirs and beaches and adopt a program for acquiring or improving access.

Adopt a policy regarding disposition of County lands, public lakes and reservoirs. The policy should require that prior to disposition, the lands should be evaluated to determine their open space value or the possibility of trading them for other lands needed for open space or recreation.

FUTURE IMPLEMENTATION PROGRAMS

Evaluate the Comprehensive Planning Organization Initial Coastline Study and Plan for the entire regional shoreline.

Cooperate with the State Coastal Zone Conservation Commission for planning, conservation and development of these areas.

Cooperate with the State Lands Commission in gathering information concerning historical ownership, public trust, and historical natural conditions in the County's coastal area, especially the lagoons and marshes.

Support state legislation which would permit the County to reduce property tax assessments of properties over which implied dedication (prescriptive rights) of beach access has been established if it can be shown that the dedication has been legally formalized and the dedication has resulted in reduced property values.

Design methods to acquire those lagoons designated as "near term" regional parks by the Regional Parks Implementation Study.

Prepare a study design outlining the preparation of a Specific Plan for both the San Elijo and Batiquitos Lagoons.

Reopen appropriate portions of the San Elijo and Batiquitos Lagoons to the sea to allow an increased amount of displaced water to reestablish stable, self-flushing lagoons. The County's 1970 report, The Coastal Lagoons of San Diego County recommends both passive and active recreation areas as well as maintenance of the bird habitat at San Elijo Lagoon. The same report recommends the use of Batiquitos Lagoon as a recreation area.

Develop methods to acquire or improve public access to public lakes, reservoirs and beaches.

Take all possible actions to seek acquisition of the lagoons by the State or Federal governments.

Floodplains

DESCRIPTION OF CATEGORY

A floodplain is the area subject to inundation by a 100-year flood.

The floodplains of all the rivers and streams have not been mapped. The Open Space Element map shows the general floodplains of the major rivers where the floodplain is more than 1,200 feet wide. More detailed maps are available in the County Department of Sanitation and Flood Control.

Most lands within floodplains are in private ownership with only a few parcels owned by local governmental jurisdictions.

The floodplain fringe is all land within the floodplain which is not within the floodway.

A floodway is all land required to pass a 10-year flood without structural improvements and/or all lands required to convey the 100-year flood without increasing the water surface elevation of the 100-year flood more than one foot at any one point.

A river is defined as a watercourse that drains more than 5 square miles; a stream drains less than 5 square miles.

It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

PURPOSES AND/OR FUNCTIONS OF CATEGORY

Natural Functions

- Carry waters (normal and storm waters)
- Replenish ground water supply
- Plant and wildlife habitat
- Deposit agricultural soil
- Beach and sand replenishment

Human Functions

- Separation of urban areas
- Visual relief
- Agriculture (both plant and animal)
- Water supply
- Recreation
- Riding, hiking and bicycle trails
- Hunting preserves
- Disposal of reclaimed waters
- Extraction of sand and gravel

Floodways perform all of the above functions on a regular basis, but their chief purpose is to carry water.

Floodplain fringes also perform all of the above functions except that they carry water only during severe storms.

Streams perform the same functions as rivers except that due to their smaller size, their human uses may be limited to local open spaces, recreation and trails.

OBJECTIVES TO BE ACHIEVED BY USE OF THIS CATEGORY

Goal I. Health and Safety

1. Protect life and property by regulating uses in areas subject to flooding.
2. Reduce the need for the construction of major flood control improvements.
3. Control development to assure a minimal adverse polluting effect on reservoirs, lakes, streams, rivers and ground water supplies.

Goal II. Conservation of Resources and Natural Processes

4. Encourage the conservation of the habitats of rare or unique plants and wildlife.
5. Encourage the conservation of vegetation and trees needed to prevent erosion, siltation, flood, and drought, and to protect water quality.
6. Encourage the use of streams as local open spaces.
7. Encourage the conservation of construction quality sand resources in designated areas from significant incompatible development.
8. Minimize adverse environmental impact of noise and dust resulting from sand extraction.
9. Utilize agriculture as one of several possible uses of land in the floodplain.

Goal III. Recreation

10. Promote the use of floodways for recreation when appropriate.

Goal IV. Distinguish and Separate Communities

11. Encourage the use of open space to separate conflicting land uses whenever possible.

POLICIES AND REGULATIONS TO ACHIEVE THE OBJECTIVES

Existing

Existing policies, particularly the land use regulations, have been directed towards preventing the misuse of the floodplain and to qualify the County for Federal flood control insurance.

The County has determined:

That flood control is regional in nature and does not respect political boundaries.

That land use planning is highly sensitive to flood control requirements and detailed consideration of flood control methods are essential in the land use decision-making process.

That flood control projects involve the expenditure of very significant amounts of district, federal and state funds.

That failure of flood control systems may result in property damage and loss of life.

The County has adopted a Water Course Ordinance which provides minimum regulations on all development that is traversed by a river or a stream.

The County has adopted a Floodplain Overlay Zone and a Flood Channel Overlay Zone. These zones severely restrict the uses in the floodway, but permit regulated development in the floodplain fringe in accordance with the San Diego County Code.

The County has passed an interim amendment to the zoning ordinance requiring that a special permit be granted prior to construction in six major floodplains. This ordinance is to be in effect only until the completion of the application of regular floodplain zoning on all of these floodplains.

The County Grading Ordinance requires the planting of slopes to prevent erosion.

The County requires an environmental impact report for all projects which are deemed to have a possible significant effect on the environment.

The County cooperates with Federal and State agencies in preparing detailed studies of potential flood damage.

Proposed

Continue those existing policies and regulations which promote the attainment of the goals of this Plan.

Establish standards for natural channels.

Use flood control district funds to maintain natural channels which meet the standards.

Apply the Floodplain Overlay Zone to selected floodplains.

Support Regional Water Quality Control Board policies and urge it to adopt standards for storm water runoff.

Support efforts to identify and protect rare and unique plant and wildlife habitats.

Permit setbacks from streams as a substitute for front, rear or side yard setbacks.

Adopt policies for sand extraction based on the findings of Phase II and Phase III of the River Sand Resource Study.

Acquire easements of portions of the floodplain for riding, hiking and bicycle trails.

FUTURE IMPLEMENTATION PROGRAMS

Prepare maps which delineate the floodway of all rivers.

Establish a task force to prepare comprehensive plans for the floodplains of the San Luis Rey River, Escondido Creek, San Dieguito River, San Diego River, Sweetwater River, and Otay River that will:

- Delineate areas of the floodway suitable for development.
- Delineate areas of construction quality sand resources.
- Delineate road crossings.

- List uses that will be appropriate in the floodplain fringe.
- Describe the flood protection works to be applied for each segment of the floodway.
- Identify areas to be acquired for public recreation including riding, hiking and bicycle trails.

Within the framework and guidelines of the General Plan, utilize community or subregional planning programs to prepare detailed plans for that portion of the river that traverses each area.

Establish a task force to prepare more detailed maps that will define and identify rare and unique plant and wildlife habitats and determine techniques for protecting those habitats.

The County has commenced work on the following projects on major rivers:

- Applying the Floodplain Overlay Zone.
- A mapping program to delineate the floodways.
- A program to review all of the underlying zoning to determine the compatibility of existing zoning with the functions of the floodplain.
- A River Sand Resource Study in three phases: Phase I will delineate the location and quantity of construction quality river sand. Phase II will develop policy alternatives. Phase III will propose specific changes in planning procedures and regulations.

Agricultural Preserves and Open Space Easements

DESCRIPTION OF CATEGORY

An agricultural preserve is an area devoted to either agricultural use, recreational use, open space use, or any combination of such uses, and compatible uses which are designated by the County, as defined by the Land Conservation Act of 1965 (the Williamson Act) Chapter 7, Section 51200 et seq. of the Government Code and by Board of Supervisors' Policy I-38. Agricultural preserves are established for the purpose of defining the boundaries of those areas within which the County will be willing to enter into contract pursuant to the Act. Landowners within a preserve may enter into contract with the

County to restrict their land to the uses stated above for at least ten years whereby the assessment on their land will be based on its restricted use rather than its market value. Those lands within a preserve but not under contract are restricted only to those uses allowed by their agricultural zoning classification.

Open space easements may be acquired from property owners willing to relinquish certain rights to construct improvements on their land as provided by Chapter 6.5, Section 51050 et seq. of the Government Code and Board of Supervisors' Policy I-37. Relinquishment of the development rights to the County may be either in perpetuity or for a specific period of twenty years except for those rights which are expressly reserved in the granting instrument, for public service facilities installed for the benefit of the land, or as authorized by the County. The lands included in the easement are assessed based upon their restricted use rather than their market value.

It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

PURPOSES AND/OR FUNCTIONS OF CATEGORY

Agricultural preserves and open space easements allow the temporary or permanent holding of land for agricultural, open space, or recreational uses. "Agricultural use" means use of the land for the purpose of producing agricultural commodities for commercial purposes. "Open space" means the use of the land to preserve its natural characteristic beauty, or openness for the benefit of the public, if such land is in a scenic highway corridor, a wildlife habitat, a saltpond, a managed wetland, or a submerged area. "Recreational use" means the use of the land by the public with or without charge, for uses such as: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports.

Open space easements preserve open space by relinquishing the owner's right to construct improvements on the subject land. Such easements may be granted in areas both inside and outside of agricultural preserves upon specific findings by the Board of Supervisors that the easement would result in benefit to the public. Additional criteria are contained in Board Policy I-37.

Open space easements and agricultural preserves do not allow the public to use the land without the owners consent.

OBJECTIVES TO BE ACHIEVED BY USE OF THIS CATEGORY

Goal II. Conservation of Resources and Natural Processes

1. Encourage agricultural use of lands with soils which are highly suitable for the production of food or fiber.
2. Encourage the conservation of vegetation and trees needed to prevent erosion, siltation, flood, and drought.
3. Encourage the conservation of the habitats of rare or unique plants and wildlife.
4. Encourage the use of minor natural watercourses as local open spaces.
5. Encourage the preservation of significant natural features of the County, including the beaches, lagoons, shoreline, canyons, bluffs, mountain peaks, and major rock outcroppings.
6. Encourage the use of agriculture to provide visually pleasing open space and variety within an urban environment.
7. Encourage open space uses to direct urban growth to conform with the goals, objectives, policies, and standards of San Diego County's General, Subregional and Community Plans.
8. Encourage the use of open spaces as a separation of conflicting land uses whenever possible.

POLICIES AND REGULATIONS TO ACHIEVE THE OBJECTIVES

Existing

The County of San Diego has established agricultural preserves which provide open space for the County.

Procedures for acquiring agricultural preserves are defined in Board of Supervisors' Policy I-38. As of March 1, 1973, a total of 27 agricultural preserves had been designated which encompasses 210,850 acres. One hundred seven contracts within these preserves have been signed committing 66,764 acres to agricultural use.

Procedures for acquiring open space easements are defined in Board of Supervisors' Policy I-37. As of March 1, 1973, four open space easements

have been granted to the County encompassing 1,339 acres. This figure does not include land in open space easements required as a condition of planned residential developments.

Proposed

Continue those existing policies and regulations which promote the attainment of the goals of this Plan.

Encourage the establishment of additional agricultural preserves and open space easements based on a systematic review of appropriate areas.

Review on a semi-annual basis each agricultural preserve to determine if it conforms to the objectives of the Land Conservation Act and the Open Space Element.

It is the intent of the Open Space Plan that modifications in the boundaries of either land under contract or in a preserve that would decrease or increase the acreage involved could occur without the necessity of amending this plan.

Revise the Open Space Easement Policy to encourage the granting of easements and make open space easements a more flexible and effective tool in implementing the Open Space Element. Revisions to the policy should include reduction or elimination of the 100-acre minimum area now required; reduction or elimination of the fees now charged, especially those charged for perpetual easements; and encouragement of corridor easements along streams, floodplains, roadways, scenic highways, and riding and hiking trails.

FUTURE IMPLEMENTATION PROGRAMS

Actively publicize the agricultural preserve and open space easement programs by preparing a suitable brochure describing their benefits and distributing the brochure to appropriate landowners.

Adopt guidelines establishing each concerned County agency's responsibility for the semi-annual review of each agricultural preserve. This review should include changes in the tax base, surrounding development and public services, changes in the percentage of land under contract in each preserve, and changing economic and environmental conditions which may require the possible expansion or contraction of boundaries.

Open Space Design of Private Lands

DESCRIPTION OF CATEGORY

This category of open space is not illustrated on the Open Space Element map except where the Board of Supervisors has approved a private development plan that includes designed open space. Private lands in parcels of over 40 acres in size may be subject to certain open space requirements at the time of their development as more specifically set forth in the proposed policies section of this category. The design and retention of open space within these private lands at the time of their development is necessary in order to comply with the goals and objectives set forth in this element and to comply with the open space lands sections of State law.

The implementation of this category will depend upon the adoption of open space zoning and subdivision standards enacted to achieve the goals and objectives of this Element.

It is not the intent of this category of the Open Space Element to restrict or regulate privately owned land in any way except as is necessary to facilitate the public health, safety, and welfare.

PURPOSES AND/OR FUNCTIONS OF CATEGORY

To assure that adequate usable open space will be provided to meet the requirements of State law and to assist in achieving the following objectives.

OBJECTIVES TO BE ACHIEVED BY USE OF THIS CATEGORY

Goal I. Health and Safety

1. Control development on steep slopes to minimize slide danger, erosion, silting, and fire hazard.
2. Control development to assure a minimal adverse polluting effect on reservoirs, lakes, rivers, streams, and ground water supplies.
3. Protect life and property by regulating use of areas subject to flooding, landslides, high fire hazard and high earthquake potential.

Goal II. Conservation of Resources and Natural Processes

4. Encourage the conservation of vegetation and trees needed to prevent erosion, siltation, flood, and drought, and to protect air and water quality.

5. Encourage the conservation of the habitats of rare or unique plants and wildlife.
6. Encourage the use of minor natural watercourses as local open spaces.
7. Encourage agricultural use of lands with soils which are highly suitable for production of food.
8. Encourage the preservation of significant natural features of the County, including the beaches, lagoons, shoreline, canyons, bluffs, mountain peaks, and major rock outcroppings.
9. Encourage only those uses and activities that are compatible with the marine ecosystem along the shoreline. Designate appropriate areas as underwater or water related wildlife preserves.
10. Discourage any use of the lagoons that would be incompatible with their natural ecosystems.

Goal III. Recreation

11. Encourage recreational planning as a part of all major residential development.
12. Encourage the acquisition of historic sites (including unique archaeological sites) and their immediate environs by public agencies or private organizations interested in our historical and cultural heritage.
13. Encourage second home and recreational camp site development that will not have a substantial adverse impact on the mountains and desert.

Goal IV. Distinguish and Separate Communities

14. Encourage sound environmental planning practices in all developments.
15. Encourage the use of open space to separate conflicting land uses whenever possible.
16. Encourage an intermingling of open space as an integral part of all major residential development so as to preserve an atmosphere of openness at the neighborhood scale.
17. Encourage development that is designed so as to include riding, hiking and bicycle trails.

POLICIES AND REGULATIONS TO ACHIEVE THE OBJECTIVES

Existing

The County zoning and subdivision regulations contain provisions for the control of land use and density of development.

The State requires the preparation of an environmental impact report for all projects which are deemed to have a possibly significant effect on the environment.

The County has private development plan policies which provide for land use controls for these types of large scale development.

The County's planned residential development (PRD) requirements partially meet the objectives of this category. The intent of the PRD regulations is to permit greater flexibility and, consequently, more creative and imaginative development than is generally possible under conventional zoning regulations. This will promote more economical and efficient use of the land while providing a variety of housing, higher level of amenities, and preservation of natural and scenic open spaces. A PRD may be authorized in any residential zone by a special use permit. The PRD open space requirements are:

- a. Forty percent of the gross area must be for an open space use.
- b. One-half of the 40% must be improved and be less than 10% slope.
- c. A PRD shall relate harmoniously to the topography of the site, make suitable provision for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such features and amenities to best advantage.

The County grading ordinance requires an analysis of the stability of proposed cut and fill slopes and requires the irrigation and planting of slopes to prevent erosion.

The County has adopted a Coastal Development Overlay Zone (CD Zone). This zone is intended to provide land use regulations along the coastline area including the beaches, bluffs, and the land area immediately landward thereof. The purpose of the CD zone is to provide for control over development and land use along the coastline to the extent that the public interest in the shoreline as a unique recreation and scenic resource is adequately protected.

The State legislature has established the San Diego Coast Regional Commission. This Commission regulates development within 1,000 yards of the mean high tide line and will continue to do so until three months after the adjournment of the 1976 regular session of the legislature.

The County has adopted a Scenic Corridor Overlay Zone (SC Zone) which is designed for the area adjacent to any public highway which has been designated as a Scenic Highway by the State of California and/or the Board of Supervisors after public hearing. It is intended that the Scenic Corridor zone will assure the protection of the scenic qualities of these roadsides and the exclusion of incompatible uses and structures.

The County has a Back County Subdivision Policy which modifies development requirements in the mountain region.

The Subdivision Map Act and the Government Code provide for the establishment of open space easements.

The County Health Department reviews all subdivision and lot splits concerning water source and sewerage.

The County has adopted an ordinance in which dedication of park lands or fees in lieu thereof are required for all new dwellings and subdivisions.

The County has adopted an ordinance for the regulation of all development that is traversed by a water course.

Proposed

Continue those existing policies and regulations which promote the attainment of the goals of this Plan.

This category proposes that open space zoning be established to include the necessary regulations to implement this open space design category. The current density provisions of the Land Use Element, existing regulations and policies recited herein, and other categories of this Open Space Element provide adequate preservation and conservation of open space land which is in private ownership. Therefore, it is intended that the provisions of this Open Space Design of Private Land category and regulations adopted pursuant thereto shall apply only to proposed subdivisions which meet both of the following criteria:

Subdivisions which propose the division of a unit or contiguous units of real property consisting of 40 acres or more into lots less than two and one-half acres gross or two acres net, and

The proposed subdivision is not consistent with density provisions of the Land Use Element and therefore may be approved only upon amendment of said Land Use Element.

It is intended that the County shall review proposals for development of private property to which the provisions of this category apply, to determine the extent to which open space land, as defined in Section 65560 et seq. of the Government Code, is present and may be reasonably conserved and preserved by appropriate design of the development. This category includes guidelines for the review and determination of required open space lands.

The goals and objectives can best be attained if 40% of the total private land in a proposed development is retained in open space. It is the intent of the Plan that as a condition of any amendment to the Land Use Element, which would increase the number of dwelling units permitted on property to which this category applies, that open space be designed as a part of the plan amendment. It is intended that the following not be included in the calculation of the percentage of open space: public and private streets, campsite, mobilehome site, building site (considered to be one-fourth acre), and non-recreational structures. It is intended that all other lands, including land in lots not a part of the building sites, are to be counted in the calculation of the 40% open space requirement.

It shall be the responsibility of the developer to design the development so as to retain in open space those lands that are particularly significant for public safety, management of natural resources, conservation of natural resources or outdoor recreation. In cases of mutual consent of the developer and the County it may be possible to substitute non contiguous open space in the same vicinity.

It is specifically intended that the developer be given the right to develop the remaining percentage of his property at a sufficiently higher density so as to compensate for the loss of density created by the open space requirement.

It is not the intent of the plan to require the filing of planned residential developments; however, such developments are encouraged.

It is not the intent of the Open Space Element to increase or decrease the density of development permitted by the Land Use Element or zoning applicable to the property.

FUTURE IMPLEMENTATION PROGRAMS

Amend the Zoning Ordinance as necessary to provide for open space design standards and procedures.

Prepare and maintain a map of all designated open space categories within the County. The map should include also those open space areas required as a part of Subregional and Community Plans, Private Development Plans, Planned Residential Developments and Specific Plans.

Revise the Open Space Easement Policy to encourage granting of easements, and make open space easements a more flexible and effective tool in implementing the Open Space Element.

In particular, the revisions should:

- Reduce or eliminate the present 100-acre minimum area now required.

- Reduce or eliminate the fees now charged, especially those charged for perpetual easements.

- Encourage corridor easements along streams, floodplains, roadways, scenic highways, and riding and hiking trails.

- Identify significant historic sites in the County and hold a public hearing on a Historic Sites Sub-element of the San Diego County General Plan.

- Adopt regulations protecting designated significant historic sites from demolition or dispossession, by requiring, prior to demolition, notification to the County and an opportunity for acquisition by an appropriate public or private organization interested in the site's preservation.

- Amend the Zoning Ordinance to alter standards for planned residential developments which would decrease the required improved open space areas and permit planned residential developments in any zone at any density.

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